



July 8, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Ms. Dortch:

The National Utility Contractors Association (NUCA) comprises 44 chapters of local underground utility construction contractors and suppliers throughout the United States. NUCA represents thousands of underground utility contractors who provide the materials and workforce to build and maintain our nation's network of water, sewer, gas, telecommunications, and other utility systems. NUCA supports the effort to provide three-digit dialing capability to excavators for easy access to their one-call center, and we encourage the Federal Communications Commission (FCC) to designate this number as soon as possible.

NUCA represents the excavating community as a member of the Common Ground Alliance (CGA), a non-profit organization dedicated to shared responsibility in damage prevention of underground facilities. The CGA recognizes that the "one-call" process is fundamental to damage prevention. One call centers facilitate communication between excavators and underground facility owners and operators in order to avoid unintended strikes of vital underground utilities.

The Pipeline Safety Improvement Act of 2002 (Public Law 107-355) includes a mandate for the establishment of a nationwide 3 digit telephone number. The act, which was signed into law by President Bush on December 17, 2002, states that:

*Within 1 year after the date of the enactment of this Act, the Secretary of Transportation shall, in conjunction with the Federal Communications Commission, facility operators, excavators, and one-call notification system operators, provide for the establishment of a 3-digit nationwide toll-free telephone number system to be used by State one-call notification systems.*

The mandate will provide three-digit dialing capability that would connect any person or party engaging in excavation activity with the local one-call center, which would make for easy notification of proposed excavation. This will inevitably enhance underground damage prevention and public safety.

On December 10, 2003, NUCA wrote the FCC encouraging the agency to move forward in designating the three-digit number. In the letter, NUCA endorsed the numbers 344, which reflects the word "DIG," and resonates with professional excavators. NUCA indicated that this

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**NATIONAL UTILITY CONTRACTORS ASSOCIATION**



service was made available to thousands of wireless callers thanks to several telephone companies who have offered #344 on their products at no charge for almost two years. The letter noted that 344 was supported by the United States Department of Transportation (DOT), who requested the FCC to “assign a mnemonic dialing code that clearly relates to the problem identified to Congress,” and that “the Department specifically requests that the dialing code of 344 be assigned for this purpose, which numbers correspond to the word ‘DIG’ on telephone keypads and dials.”

NUCA continues to believe that 344 would be the most sensible choice for a three digit number for targeting the excavating community. This effort was initiated to facilitate the process of connecting excavators to their respective one-call center. Whether conducting professional underground utility work, agricultural activities, or simply home improvement activities, excavators should always call before they dig. Considering the easily recognizable number that 344 provides and the fact that this number already provides three-digit capability in part to the excavation community, NUCA believes that 344 makes the most sense to implement.

However, after reviewing the Notice of Proposed Rulemaking (NPRM) published on June 8, 2004 (69 FR, 31930), NUCA believes the FCC should recognize that the priority of the three-digit dialing effort is to implement a nationwide number that is in fact three digits. As a key user of the designated number, NUCA does not support the implementation of a ten-digit number. Ten-digit toll free numbers already exist in the one call arena. Converting to a new ten-digit number would serve no useful purpose, and would certainly not meet the 2002 mandate which calls for the “*establishment of a 3-digit nationwide toll-free telephone number.*” The requirement in the law is clear.

Further, NUCA opposes the shared, or “dual use,” of the designated three-digit number. Recognizing the overwhelming call volume faced by America’s existing 62 one call centers, an additional interface to callers may discourage the use of the service and would undermine the entire three-digit dialing effort.

NUCA encourages the FCC to move forward expeditiously in designating a three-digit number for the exclusive purpose set forth in the 2002 law, and we thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'W P Bowman', with a long horizontal flourish extending to the right.

William Bowman  
NUCA President